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09/819,991	03/29/2001	Yoshiharu Hirakata	740756-2285	4863
31780	7590	11/05/2003	EXAMINER	
ERIC ROBINSON PMB 955 21010 SOUTHBANK ST. POTOMAC FALLS, VA 20165			DUDEK, JAMES A	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/819,991

Applicant(s)

HIRAKATA ET AL.

Examiner

James A. Dudek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 39-45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 and 46-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11, 12 6) ☐ Other: \_\_\_\_

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***Election/Restrictions***

Newly submitted claims 39-45 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: they are directed to a cylindrical seal classified in 349/153. These claims are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention the cylindrical seal has separate utility such as forming plasma display channels. See MPEP § 806.05(d).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 39-45 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-38 and 46-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over 5,148,301 ("301") in view of 5,406,399 ("399") and further in view of 6480254 ("254").

Per claims 1, 301 teaches a first substrate [101 shown in figure 4] and a second substrate [102] being bonded to each other with a gap provided therebetween [liquid crystal is in the gap

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and seal 108 bonds the substrates]; a pixel matrix circuit [see 104 and 103] and a driver circuit for driving the pixel matrix circuit [see 113], each of the pixel matrix circuit and the driver circuit being formed over the first substrate [see figure 4].

Lacking is the adhesive layer being formed closely to the sides of portions of the first and second substrates opposed to each other; and a tape being formed closely to the adhesive layer. However, 399 teaches an adhesive layer being formed closely to the sides of portions of the first and second substrates opposed to each other [bonding agent 20 shown in figure 1]; and a tape being formed closely to the adhesive layer [see frame 17, this is not a tape but is a resin mold or frame; examiner asserts that using a tape would have been an obvious variation of the frame 17.] At column 2, 399 teaches using the adhesive 20 and frame 17 to prevent chipping of the substrates. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to combine the frame and adhesive of 399 with the cell of 301 to protect the cell of 301.

Regarding the substitution of using a tape in place of the frame 17, examiner asserts this is a matter of design choice. Using a molded frame instead of tape would offer more protection compared to tape. However, a molded frame requires more manufacturing steps and increases manufacturing complexity compared with using tape. Accordingly, one of ordinary skill would have to choose between increased protection and increased costs due to increase manufacturing steps and complexity and decrease protection and decreased costs.

301 lacks the “at least one end force of the first substrate and the second substrate is tapered.” However, 254 teaches tapering the edge of a substrate in order to protect leads [see column 3, 4<sup>th</sup> full paragraph.] Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to the taper of 354 with 301.

Regarding the pattern gap holding member, this corresponds to the seal 4.

Per claim 5, 301 teaches a first substrate [101 shown in figure 4] and a second substrate [102] being bonded to each other with a gap provided therebetween [liquid crystal is in the gap and seal 108 bonds the substrates]; a pixel matrix circuit [see 104 and 103] and a driver circuit for driving the pixel matrix circuit [see 113], each of the pixel matrix circuit and the driver circuit being formed over the first substrate [see figure 4].

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Lacking is the adhesive layer being formed closely to the sides of portions of the first and second substrates opposed to each other; and a frame member being formed closely to the adhesive layer. However, 399 teaches an adhesive layer being formed closely to the sides of portions of the first and second substrates opposed to each other [bonding agent 20 shown in figure 1]; and a frame member being formed closely to the adhesive layer [see resin mold frame 17 or frame]. At column 2, 399 teaches using the adhesive 20 and frame 17 to prevent chipping of the substrates. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to combine the frame and adhesive of 399 with the cell of 301 to protect the cell of 301.

301 lacks the “at least one end force of the first substrate and the second substrate is tapered.” However, 254 teaches tapering the edge of a substrate in order to protect leads [see column 3, 4<sup>th</sup> full paragraph.] Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to the taper of 354 with 301.

Per claims 2 and 6, see rejection of claim 16 below.

Per claims 4 and 8, see figures.

Per claims 3 and 7, this would have been well known in order to maintain a strong bonding between the cell and the tape or frame. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to use an adhesive having a heat conductivity lower than the tape or frame in order to maintain a strong bond when the layers expand when heated up.

Per claim 9, 301 teaches a first substrate [101 shown in figure 4] and a second substrate [102] being bonded to each other with a gap provided therebetween [liquid crystal is in the gap and seal 108 bonds the substrates]; a pixel matrix circuit [see 104 and 103] and a driver circuit for driving the pixel matrix circuit [see 113], each of the pixel matrix circuit and the driver circuit being formed over the first substrate [see figure 4].

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399 teaches an adhesive disposed on at least one side edge of the first substrate and one side edge of the second substrate to fill an opening therebetween [see adhesive 20 which covers both side edges the substrates 1 and 2 and extends across the gap; it is in contact with the LC]; and a tape covering said adhesive wherein said tape extends beyond edges of the adhesive to cover portions of the first and second substrates [tape is not actually disclosed but was addressed with claim 1, the mold resin 17 extends beyond the surface of the substrate and the adhesive].

Per claim 10, 301 teaches the display device according to claim 9 wherein said display device is a liquid crystal device. See liquid crystal layer 109.

Per claim 11, 301 teaches the display device according to claim 9 wherein said display device is an EL display device, it is well known to replace liquid crystal material with EL material in order to eliminate a backlight. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made.

Per claim 12, 301 teaches the display device according to claim 9 further comprising a driver circuit formed over the first substrate for driving said pixel matrix circuit, see claim 1 rejection.

Per claim 13, 301 teaches the display device according to claim 9, but lack said tape comprises a metallic material. This limitation is also a matter of design choice. Adding a metallic material to the tape would increase the rigidity of the tape and also increase the cost. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to add metal to the tape of 399.

Per claim 14, 301 teaches the display device according to claim 9 but lacks said adhesive comprises a UV setting resin. However, 399 discloses using a heat bonding adhesive for higher adhesion strength. UV bonding also offers higher adhesive strength and was a well known adhesive. Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to use a UV bonding adhesive as an adhesive material for 399.

Per claim 15, 399 teaches the display device according to claim 9 wherein said adhesive comprises a thermosetting resin. See column 4.

Per claims 16, 21, and 28 301 in view of 399 teach the claimed invention except the tape or frame covering said adhesive wherein said tape or frame extends beyond edges of the adhesive to cover portions of the first and second substrates. However, 399 teaches the frame extending beyond the adhesive and, although not beyond the adhesive, covering a substrate. It would be a matter of design choice to cover both substrates and extend beyond edges of the adhesive as such a modification would increase the manufacturing complexity and decrease the overall strength of bond between the frame and cell.

301 lacks the "at least one end force of the first substrate and the second substrate is tapered." However, 254 teaches tapering the edge of a substrate in order to protect leads [see column 3, 4<sup>th</sup> full paragraph.] Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to the taper of 354 with 301.

Per claim 17-20, 22-27 and 29-32, see above rejections.

Per claims 33-38, 399 teaches placing the adhesive so that it is not on the surface of either substrate [see figure 1.] Accordingly, it would have been obvious to one of ordinary skill at the time the invention was made to combine the adhesive placement of 399 with 399 in order to ease handling of the cell, see abstract.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


***Response to Arguments***

Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Dudek whose telephone number is 308-4782. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7721 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
James A. Dudek  
Primary Examiner  
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November 3, 2003